



COTTAGE FOOD PRODUCTS AND BUSINESSES

Center for Facility and Process Review

Office of Food Protection

Prevention and Health Promotion Administration

February 7, 2023

MISSION AND VISION

MISSION

The mission of the Prevention and Health Promotion Administration is to protect, promote and improve the health and well-being of all Marylanders and their families through provision of public health leadership and through community-based public health efforts in partnership with local health departments, providers, community based organizations, and public and private sector agencies, giving special attention to at-risk and vulnerable populations.

VISION

The Prevention and Health Promotion Administration envisions a future in which all Marylanders and their families enjoy optimal health and well-being.

Overview

- Define cottage food businesses and cottage food products
- Discuss requirements for product labeling
- Review Maryland Department of Health (MDH) cottage food business requests
 - Obtaining a unique identification number
 - Cottage foods sold at retail - selling to a retail food store
- Discuss next steps to growing your business
- Review Frequently Asked Questions
- 3 • Q&As

Questions

1. The website, Cottage Cookies, has the option to ship their cottage food products to Delaware. Is this allowed? **Yes or No**
2. I want to roast and sell coffee; can I also offer ground coffee to my customers? **Yes or No**
3. I can make pickles, beverages, and elderberry syrup as a cottage food business in MD. **True or False**

Questions

4. The following are allowable cottage foods:

- Rosemary focaccia with commercially dried herbs baked in;
- Cupcakes with shelf-stable commercially manufactured frosting;
- Hot chocolate cocoa bombs; and
- Chocolate chip cookie stuffed with commercially manufactured peanut butter

True or False

Questions

5. The following are allowable cottage foods:

- Lemon cake with a vegan icing made with vegan butter, sugar, lemon juice;
- Cold pressed (unpasteurized) fruit juice;
- Hot Sauce; and
- CBD infused chocolate candies

True or False

Questions

6. Dehydrating herbs and using them to make a spice blend is allowed under the cottage food regulations. **True or False**

7. Does a cottage food business need to include their home address on their label? **Yes, No, or Yes or an ID # issued by MDH**

8. Mary wants to sell her cottage food products at her friend's hair salon and boutique. Is she allowed to do that? **Yes or No**

9. Once I am approved for "At Retail" sales, I can sell my products to any store, as long as it is located within the State of Maryland. **True or False**

What is it?

Cottage Food Business

- Home-based business (residential kitchen) where certain allowable foods can be produced or packaged, stored, and sold (this would include samples).
- Annual revenues not exceeding \$50,000* (*Effective October 1, 2022)
- Must comply with local laws and ordinances
- Allow local health department access for complaint or foodborne illness investigations
- Not licensed

What is it?



Cottage Food Products

- Allowable non-potentially hazardous foods
- Directly to a consumer from a residence, at a farmer's market, at a public event, by personal delivery, or by mail delivery; to a retail food store
- Offered for sale only within Maryland

What is it?

Potentially Hazardous Food (PHF)

Foods that have increased potential for causing illness, based on handling, time/temperature

- Raw or heat-treated food of animal origin;
- Heat treated food of plant origin;
- Raw seed sprouts;
- Cut melons;
- Cut raw tomatoes;
- Garlic and oil mixtures; and
- Cut leafy greens

What is it?

Non-Potentially Hazardous Food

Potentially hazardous foods do not include:

- Foods with a water activity of 0.85 or less;
- Foods with a pH level of 4.6 or below when measured at 75°F;

What is it?

Common pH Values of Foods

Apples -- 3.30 – 4.00

Peaches -- 3.30 – 4.05

Oranges -- 3.69 – 4.34

Banana -- 4.50 – 5.20

Pumpkin -- 4.99 – 5.50

Green Peppers -- 5.20 – 5.93

Sweet potatoes -- 5.30 – 5.60

Carrots -- 5.88 – 6.40

**Non-potentially
hazardous -- target
pH value 4.6 or less**

What is it?

Common Water Activity (a_w) Values

Jams and jellies -- 0.8

Dried fruit -- 0.6

Cookies -- 0.3

Fresh meat and fish -- 0.99

**Non-potentially
hazardous target –
Water activity (a_w)
value of .85 or less**

What is it?

Allowable Food Products



- Breads, cookies and pastries without potentially hazardous topping or fillings:
 - Pies, turnovers, and fruit tarts from fruits with a natural pH of 4.6 or less
 - Baked bread, biscuits, tortillas and muffins
 - Cakes and cupcakes
- Hot-filled canned acid foods:
 - Fruit jelly, jam and preserves from the fruits with a natural pH of 4.6 or less
 - Fruit butters from apple, apricot, grape, peach, plum, prune, quince

What is it?

Allowable Food Products



- Fruit leathers from fruits with a natural pH of 4.6 or less;
- Snacks such as popcorn/kettle corn, popcorn balls, nuts and cotton candy;
- Repackaging of commercially-processed dry ingredients (i.e., spice and seasoning blends, tea blends)

What is it?

Allowable Food Products



- Cereals, trail mixes and granola;
- Chocolate confections made from commercially manufactured chocolate (e.g., chocolate covered pretzels);

What is it?

Allowable Food Products



- Candy such as lollipops, gummy bears, brittles, toffee, marshmallows made from non-PHF ingredients;
- Whole bean roasted unflavored coffee beans



What is it?

Allowable Food Products



Appendix A

Cottage Food Businesses - Allowable Foods

What types of foods are allowed to be produced for sale by a cottage food business?

Baked goods (non-perishable):

- Bagels
- Biscuits
- Breads
- Brownies
- Cakes without perishable icing or fillings
- Cookies
- Cupcakes without perishable icing or fillings
- Granola bars
- Muffins
- Pastries
- Tortillas
- Buns without perishable icing
- Cookies, brownies, breads, muffins baked from a commercially prepared mix (without perishable icings or fillings)
- Sourdough bread, rolls, etc.

Candies (Non-perishable):

- Brittles
- Freeze dried non-potentially hazardous commercial candies
- Gummy bears
- Lollipops

Fruit products - fruit leathers, pies, turnovers, hot-filled jams, jellies, preserves, and fruit butters from fruits with a natural pH of 4.6 or below:

- Apples
- Apricots
- Blackberries
- Blueberries
- Boysenberries
- Cherries
- Cranberries
- Grapes
- Nectarines
- Oranges
- Peaches
- Prunes
- Quince
- Raspberries
- Red currants
- Strawberries
- Tangerines
- Another fruit with a natural pH of 4.6 or below

<https://health.maryland.gov/phpa/OEHFP/OFPCHS/Pages/CottageFoods.aspx>

What is it?

Allowable Food Products

Alcohol in an allowable cottage food such as in cupcakes

- If alcohol is **baked into the product**, most of it will cook off, therefore there is no need to contact the Comptroller's Office or have the product tested.



What is it?

Allowable Food Products

Alcohol in an allowable cottage food (such as in icing)

- Contact the local liquor control board, or the Maryland Comptroller's Office, Alcohol Field Enforcement unit at 410-260-7388
- For foods with an alcohol content greater than one-half of one percent of alcohol per volume content ($0.5 \times 1\% = 0.005$), additional labeling requirements will apply: MD Health-General §21–214, Annotated Code of MD

What is it?

Allowable Food Products with Testing

Laboratory results for water activity and pH are required for each recipe. A water activity result of 0.85 or below and/or a pH of 4.6 or below are considered non-potentially hazardous. Certified food testing laboratories are not required to be located within the state of Maryland.

- Icings, frosting and glazes with added water or containing potentially hazardous ingredients (such as cream cheese, milk, butter, etc.)
- Moist quick fruit breads with a natural pH above 4.6 such as banana, pumpkin, and zucchini breads.

Icings

- Buttercreams and other icings made with potentially hazardous ingredients (butter, milk, etc.) - not allowed unless tested by a certified food lab and results prove to be non-potentially hazardous.
- Royal icings made with meringue powder - allowed with testing
 - If made with shell eggs - not allowed

What is it?

Not Allowed as Cottage Food



Examples of foods not allowed to be sold as a cottage food

- Beverages of any kind
- Apples covered with caramel, candy or chocolate
- Fudge
- Candy or chocolate-covered fresh fruits



What is it?

Not Allowed as Cottage Food



Examples of foods not allowed to be sold as a cottage food:

- Baked goods requiring any type of refrigeration
- Raw cookie and pizza doughs
- Fresh pasta
- Pumpkin or nut butters
- Condiments - barbeque sauces, hot sauce, ketchups and/or mustards, mayonnaise

What is it?

Not Allowed as Cottage Food



Examples of foods not allowed to be sold as a cottage food (*continued*):

- Acidified/pickled food products – example, barbeque sauce, pickled beets, pepper jelly
- Food products made with cooked vegetables — including potato chips
- Drying or dehydrating herbs and vegetables
- Flavored and or ground coffee
- Food products made from cut fresh fruits or vegetables

What is it?

Not Allowed as Cottage Food



Examples of foods not allowed to be sold as a cottage food (*continued*):

- Fresh, dried or dehydrated meat or poultry products
- Fish or shellfish products
- Milk and dairy products, including hard, soft and cottage cheeses and yogurt
- Jarred cakes with wet ingredients or pre-baked

Not Allowed as Cottage Food

Cannabis/Hemp/Cannabinoid (CBD) Infused Foods

- Only very specific parts of the hemp plant that do not contain cannabinoids can be added to food without approval - hulled hemp seed, hemp seed protein powder, hemp seed oil
- CBD has not been approved by the FDA as a food additive

Labeling Requirements

What is required?

Label Requirements

- Primary means to allow customers to make informed decisions about food selections and food ingredients
- Allows for product traceability

Recalls Due to Mislabeling

PRODUCT RECALL

Sweet Loren's Issues Recall of Gluten-Free Cookie Dough That Contains Trace Amounts of Gluten

Published July 19, 2022 • Updated on July 19, 2022 at 7:07 pm



A food manufacturer has announced a recall of bags of its sugar cookie dough mix, saying that the product could potentially contain traces of gluten despite being labeled and advertised as being gluten-free.

Sweet Loren's made the [announcement over the weekend](#) that it was recalling 12-ounce bags of its Sugar Cookie Dough.

According to the company and the FDA, individuals who have an allergy or a severe sensitivity to gluten products could "run the risk of an allergic reaction" if they consume the cookie dough.

The FDA says no one has reported becoming ill from the product.

Trending Stories

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Illinoisans Have Less Than One Week to Renew Their Driver's License and ID Card
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Sweet Loren's, Inc Issues Voluntary Allergy Alert On Undeclared Gluten in Product

Sweet Loren's of New York, NY is voluntarily recalling a single lot code of Sweet Loren's Sugar Cookie Dough 12oz, because it may contain traces of gluten in product labeled as gluten free. People who have an allergy or severe sensitivity to gluten potentially run the risk of an allergic reaction if they consume these products

No illnesses have been reported to date.

Sweet Loren's Sugar Cookie Dough 12oz was distributed in FL, LA, MA, NY, NJ, SC, NC, OR, UT, IL, TX, GA, CA, CO, WA, IN, PA, MD, DC, TN, AL, MI, OH, DC, KY, AR, AK through retail grocery stores.

The lot of product recalled is Sweet Loren's Sugar Cookie Dough 12oz Lot Code AF22 115, Best By Date 12/1/2022.

This issue was identified through testing of the product in-house. The oat flour used was determined to have traces of gluten despite having documentation (COA) declaring it to be gluten free.



What is required?

What's in a Label?

- Common name of the food or a descriptive identity statement;
- If made from two or more ingredients:
 - A list of ingredients and sub-ingredients (an ingredient within another ingredient that has been added to a food) in descending order of prominence by weight; and
 - A declaration of artificial color or flavor and chemical preservatives;
- An accurate declaration of the quantity of the package contents by net weight or net volume in both metric and English units; or the quantity by count

What is required?

What's in a Label?



- Name and address of cottage food business (a unique identification number may be used in place of the cottage food business address);
- If any nutritional or health claim is made, it must be approved by the FDA, and include nutritional information as specified by federal labeling requirements;
- Name the source for each major food allergen that is contained in the product unless the source is already part of the common or usual name of the respective ingredient (pecans, walnuts, etc...);

What is required?

What's in a Label?

"Major food allergen":

- Milk;
- Egg;
- Fish such as bass, flounder, or cod;
- Crustacea such as crab, lobster, or shrimp;
- Tree nuts such as almonds, pecans, or walnuts;
- Wheat;
- Peanuts;
- Soybeans;
- Sesame; and (NEW! Added January 1, 2023)
- A food ingredient that contains protein derived from milk, egg, fish, crustacea, tree nuts, wheat, peanuts, soybeans or sesame.

What is required?

What's in a Label?

Specific for cottage foods -

Statement - “Made by a cottage food business that is not subject to Maryland’s food safety regulations.”

- printed in 10 point or larger type
- in a color that provides a clear contrast to the background of the label

For a cottage food product offered for sale at a retail food store

- phone number and email address of the cottage food business
- date the cottage food product was made

What is required?

What's in a Label?

Unique Identification Number (ID#)

- A unique ID number may be used on the label as an alternative to a cottage food business address.
- A cottage food business must submit a request for a unique ID number to the Maryland Department of Health via the Cottage Food Business Request Form.
- If a unique ID number is used, the label must additionally include the name and phone number of the cottage food business.

What is required?

Sample Label

- Common name of food
- Name and address of business
- Ingredients
(with sub-ingredients)
- Major food allergens
- Weight
- Required statement
(10 point font)

Label with or without a Unique Identification Number issued by the Department

Chocolate Chip Cookies with Walnuts
Your Business Name Here
Your Street Address (may substitute with Unique ID#)
Your City, MD Zip (may substitute with Unique ID#)
Your Phone Number (if using only Unique ID#, you must provide)

Ingredients: Enriched flour (wheat flour, niacin, reduced iron, thiamine, mononitrate, riboflavin and folic acid), butter (milk, salt), semi-sweet chocolate chips (sugar, chocolate, cocoa butter, milkfat, soy lecithin, natural flavors) walnuts, sugar, eggs, salt, artificial vanilla extract (water, caramel color, vanillin, citric acid, and sodium benzoate as preservatives, ethyl vanillin and artificial flavor), sodium bicarbonate.

Contains: Wheat, eggs, milk, soy, walnuts

Net Wt. 3 oz. / 85 grams

“Made by a cottage food business that is not subject to Maryland’s food safety regulations.”

**The address may be substituted with a unique identification number if one has been issued to the cottage food business by the Department. The cottage food business’ phone number must be included.*

What is required?

Sample Label



Maryland Cottage Food Business Labeling Guide Revised March 2022

[Allowable foods](#) produced under the cottage foods regulation ([Code of Maryland Regulations 10.15.03.27](#)) must be prepackaged at the cottage food business and labeled with the following information:

- The name and address* of the cottage food business;
- The name of the cottage food product;
- The ingredients (and sub-ingredients) of the cottage food product in descending order of the amount of each ingredient by weight;
- The net weight, count, or net volume of the cottage food product;
- Allergen information as specified by federal labeling requirements;
- Nutritional information as specified by federal labeling requirements, if any health or nutritional information claim is made; and
- Printed in 10 point or larger type in a color that provides a clear contrast to the background of the label: "Made by a cottage food business that is not subject to Maryland's food safety regulations."
- For cottage food products sold at retail stores, labels must additionally include:
 - The phone number and e-mail address of the cottage food business; and
 - The date the product was made.

* **Unique identification number** - A cottage food business may request from the Maryland Department of Health a unique identification number (ID#) to use on the label as an alternative to a business address. If a unique ID# is used, the label must additionally include the name and phone number of the cottage food business. To obtain a unique ID #, the business must submit a request to the Maryland Department of Health via the [Cottage Food Business Request Form](#).

[Cottage Food Labeling Guidelines](#)



Fillable Sample Cottage Food Labels: Label with or without a Unique Identification Number issued by the Department

Product Name:
Business Name:
Address (may substitute with Unique ID#):
City, MD Zip (may substitute with Unique ID#):
Phone Number (if using only Unique ID#, you must provide):

Ingredients and Sub-ingredients:

Contains (Must include all major allergens):

Net volume, weight or quantity of product:

"Made by a cottage food business that is not subject to Maryland's food safety regulations."

*The address may be substituted with a unique identification number if one has been issued to the cottage food business by the Department. The cottage food business' phone number must be included.

Label for food sold to a retail food store

Product Name:
Business Name:
Street Address (may substitute with Unique ID#):
City, MD Zip (may substitute with Unique ID#):
Phone Number:
E-mail address:

Ingredients and Sub-Ingredients:

Contains (Must include all major allergens):

Net volume, weight or quantity of product: Date product made:

"Made by a cottage food business that is not subject to Maryland's food safety regulations."

* Your phone number, e-mail address and date made are mandatory for sales in a Retail Food Store.

[Fillable Label](#)



Label Examples:



White Chocolate Vanilla Cakesicle

INGREDIENTS: FLOUR (WHEAT FLOUR, MALTED BARLEY FLOUR, NIACIN, IRON, THIAMINE MONONITRATE, RIBOFLAVIN, FOLIC ACID) SUGAR, EGG WHITES, WHOLE MILK (MILK, VITAMIN D3), UNSALTED BUTTER (PASTEURIZED CREAM, NATURAL FLAVORING), VANILLA EXTRACT (SUGAR, WATER, VANILLA BEANS, GUM TRAGACANTH), BAKING POWDER (SODIUM ACID PYROPHOSPHATE, SODIUM BICARBONATE, CORN STARCH AND MONOCALCIUM PHOSPHATE), SALT. ICING: VEGETABLE SHORTENING (SOYBEAN OIL, FULLY HYDROGENATED PALM OIL, PARTIALLY HYDROGENATED PALM AND SOYBEANS OIL, MONO AND DIGLYCERIDES, TBHQ AND CITRIC ACID) POWDERED SUGAR (SUGAR, CORNSTARCH) AND VANILLA EXTRACT (SUGAR, WATER, VANILLA BEANS, GUM TRAGACANTH). WHITE CHOCOLATE COATING (SUGAR, PARTIALLY HYDROGENATED PALM KERNEL AND COTTONSEED OILS, NONFAT DRY MILK, MILK, GLYCERYL LACTO ESTERS OF FATTY ACIDS, TITANIUM DIOXIDE, SOY LECITHIN, SALT, AND ARTIFICIAL FLAVOR).

CONTAINS: MILK, EGGS, WHEAT, SOY

ALLERGY INFORMATION: THIS PRODUCT IS MANUFACTURED IN A FACILITY THAT PROCESSES OTHER PRODUCTS WHICH MAY CONTAIN SOY, DAIRY, WHEAT, TREE NUTS, PEANUTS & EGGS.

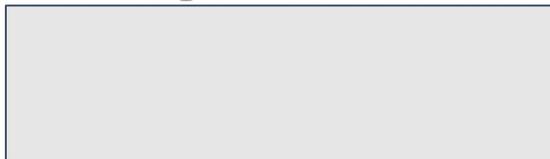
NET WT 2.6 OZ (0.07 KG)

MADE BY A COTTAGE FOOD BUSINESS THAT IS NOT SUBJECT TO MARYLAND'S FOOD SAFETY REGULATIONS.

LIKE US:   VISIT: .com">HTTPS://.COM PREPARED:

Label Examples:

Chocolate Chip Cookies with Sea Salt



Ingredients: Enriched flour (bleached wheat flour, Niacin, Iron, Thiamine Mononitrate, Riboflavin, Enzymes, Folic Acid), butter (cream, salt), semi sweet chocolate chips (sugar, chocolate, cocoa butter, milkfat, soy lecithin, natural flavors), milk chocolate chips (sugar, unsweetened chocolate, whole milk powder, cocoa butter, soy lecithin, vanilla extract), brown sugar, sugar, eggs, sour cream (cultured cream), pure vanilla (vanilla bean extractives in water, alcohol 35%), sodium bicarbonate, sea salt.

Contains: wheat, eggs, milk, soy

Quantity: 2 Count Date Product Made: 9/6/22

“Made by a cottage food business that is not subject to Maryland’s food safety regulations.”

Submission and Review Process

Cottage Foods at Retail



Retail Food Store Definition

10.15.03.02B

(68-1) “Retail Food Store”

(A) “Retail Food Store” means a licensed food service facility that sells prepackaged food items either fresh, refrigerated, frozen, or shelf-stable.

(B) “Retail Food Store” includes a grocery store, convenience store, retail market, retail bakery, or a food cooperative.

(C) “Retail Food Store” does not include a restaurant, mobile food service facility, coffee shop, cafeteria, short order café, luncheonette, tavern, sandwich shop, produce stand that only offers whole, uncut fresh fruits and vegetables, or an establishment that offers only pre-packaged non-potentially hazardous foods.

Required Items

- List of foods
- Copy of labels - (including email address, phone number, date made, etc.)
- Documentation of successful completion of a food safety course approved by the Department. The course must be certified by the American National Standards Institute (ANSI).

Cottage Foods Sold at Retail



Cottage Food Business Request

Requests for ID numbers and sales to retail food stores

1 Requests 2 Business 3 Safe Food Handling Course 4 Products 5 Sales Locations

This form is to be used by cottage food business owners wishing to sell their products to a retail food store and/or request a unique identification number to be used in lieu of the business's address pursuant to [House Bill 1017 \(Ch. 405 of the Acts of 2020\), "Public Health - Cottage Food Product Labels - Identification Number."](#)

Be advised that information submitted to this office as part of a cottage food business request is subject to release under the provisions of the [Maryland Public Information Act](#). This includes all addresses and phone numbers provided to this office.

Please complete the questions below - all fields are required. You will be notified by the Department once your documents have been reviewed or if there are any questions or issues with your submission. Once you submit your documents you will be given a confirmation number, this is NOT your unique identification number.

By submitting your request you are not guaranteed approval for sales to retail food stores or an identification number. Please allow up to twelve (12) weeks for processing.

Please note: If your cottage food business has received a compliance letter for retail sales, please contact our office at mdh.foodplanreview@maryland.gov to request a unique identification number.

I would like to: (select only one) *

Request a unique ID number for my cottage food product labels

Sell my cottage food products to a retail food store

Sell my cottage food products to a retail food store and request a unique ID number for my cottage food product labels

NextSave

1 / 5

Make a selection to:

- Obtain a Unique ID Number
- Sell products to a retail food store
- Both - obtain a Unique ID Number and sell products to a retail food store

Cottage Foods Sold at Retail



The screenshot shows a web form titled "Cottage Food Business Request" from the Maryland Department of Health. The form is part of a multi-step process, with the "Business" step currently active. The form includes fields for Applicant Name (First and Last), Applicant Email Address, Cottage Food Business Name, Cottage Food Business Address (Address Line 1, City, State dropdown, Zip Code), Address (County) dropdown, Phone, Website, and Social Media Information. Navigation buttons for "Back", "Next", and "Save" are visible at the bottom. The page number "2 / 5" is shown in the bottom right corner.


Maryland
DEPARTMENT OF HEALTH

Cottage Food Business Request
Requests for ID numbers and sales to retail food stores

① Requests ② **Business** ③ Safe Food Handling Course ④ Products ⑤ Sales Locations

Applicant Name * **Applicant Email Address ***

First Last

Cottage Food Business Name *

Cottage Food Business Address *

Address Line 1

City Maryland Zip Code

Address (County) * **Phone ***

Website Social Media Information

Back Next Save

2 / 5

- Applicant name and email address
- Cottage food business name and address
- County of residence and phone number
- Website
- Social Media Sites

Cottage Foods Sold at Retail


Maryland
DEPARTMENT OF HEALTH

Cottage Food Business Request
Requests for ID numbers and sales to retail food stores

① Requests ② Business ③ **Safe Food Handling Course** ④ Products ⑤ Sales Locations

Safe Food Handling Course

Course must have been ANSI approved and taken within the last three years. Course is only valid for three years from the date taken. If the certification was obtained two years ago, it will only be recognized as valid for one year after submitting it to the Department. After three years from the initial completion of the course, you must re-submit your proof of training to the Department.

Certification Issued By *

Date Obtained * 

Certificate of Completion

Please upload a PDF of your certification obtained from an ANSI accredited food safety course. If you are a certified food manager and have certification from a Maryland local health department, you may upload a PDF or image of your credentials issued by the local health department. *

or drag files here.

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Documentation of successful completion of a food safety course* approved by the Department

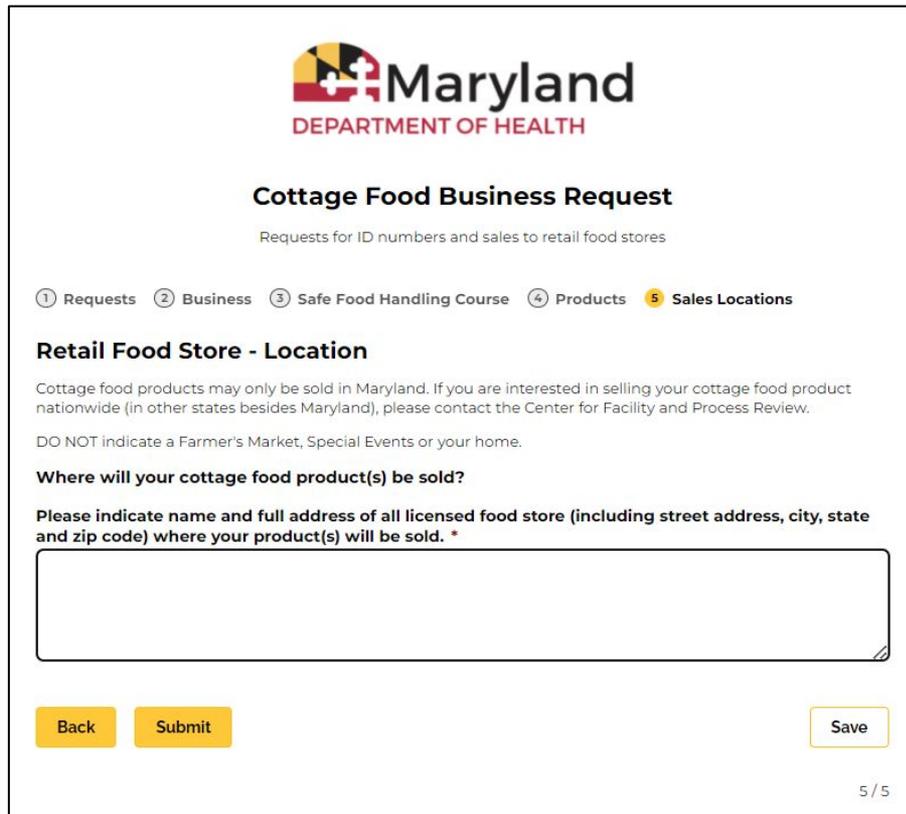
*ANSI approved

Cottage Foods Sold at Retail

The screenshot shows the 'Cottage Food Business Request' form from the Maryland Department of Health. The form is titled 'Cottage Food Business Request' and includes a sub-header 'Requests for ID numbers and sales to retail food stores'. It features a navigation bar with tabs for 'Requests', 'Business', 'Safe Food Handling Course', 'Products', and 'Sales Locations'. The 'Products' tab is selected. The form contains several sections: 'Food Product' with a definition and a list of product categories (Breads, Brownies, Cookies, Cakes and cupcakes, Chocolate Covered Confections, Fruit butters, Fruit leathers, Hard candy, Fruit jams/preserves, Fruit Pies, Snack mix, Spice blends, Tea blends, Whole roasted coffee beans, Baked goods, and Icing/Frosting/Glaze); 'Label(s) for ALL Cottage Food Products being sold at Retail' with an upload button; 'Certified Food Laboratory Result(s)' with a radio button for 'Yes' or 'No' and an upload button; and a 'Save' button at the bottom right. The page number '4/5' is visible in the bottom right corner.

- List of cottage foods to be sold to retail food store
- Label for all listed foods (complies with all label requirements)
- Certified food lab results

Cottage Foods Sold at Retail




Cottage Food Business Request
Requests for ID numbers and sales to retail food stores

① Requests ② Business ③ Safe Food Handling Course ④ Products ⑤ **Sales Locations**

Retail Food Store - Location

Cottage food products may only be sold in Maryland. If you are interested in selling your cottage food product nationwide (in other states besides Maryland), please contact the Center for Facility and Process Review.

DO NOT indicate a Farmer's Market, Special Events or your home.

Where will your cottage food product(s) be sold?

Please indicate name and full address of all licensed food store (including street address, city, state and zip code) where your product(s) will be sold. *

[Back](#) [Submit](#) [Save](#)

5 / 5

Name and full street address of the retail food store where products will be sold

Review Process

- List of foods in submission, website and social media info (optional). All foods must be non-PHF.
- Label requirements – business name, address, phone number, email, date made, required cottage food statement, weight, etc.
- Ingredient and sub-ingredient list
- Certification for food safety course
- Retail food store – qualifying facility

Review Process

Email response from MDH to cottage food business after review:

- Comment letter requiring correction of non-compliant issues, e.g. selling across state lines, selling potentially hazardous food or that more information is needed.
- Compliance letter stating business has met the requirements of the law to sell to a retail food store

Common Issues with Submissions

- Proposal and/or social media sites include foods not allowed under the regulations, e.g. cheesecake, cakes in a jar, foods containing cooked vegetables or fruits with a pH > 4.6 (pumpkin, sweet potato, banana)
- Incomplete ingredient list, e.g. sub-ingredients not listed
- Missing weight
- Missing email address

Common Issues with Submissions

- Incomplete business address
- Missing “date made” (not providing space for production date)
- Missing or incorrect Cottage Food statement
Required -- “Made by a cottage food business that is not subject to Maryland’s food safety regulations.”
- Wanting to sell to facilities not meeting the definition of “retail food store”

Getting it Right

- Review Cottage Food Business website, Guidelines for Cottage Food Businesses, FAQs
- Verify label components
- Include all required submission items
 - All labels
 - Food safety course certification
- Contact us if you have questions about comment letter or submission requirements

MDH Cottage Food Website

Helpful links

Maryland Department of Health

Environmental Health Bureau

Food Processing

Milk and Dairy Products Home

Plan and Process Review

Food Defense and Preparedness

Federal resources

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Maryland Cottage Food Businesses



What is a cottage food business?

A cottage food business (or a home-based business) is defined in the Code of Maryland Regulations (COMAR) 10.15.03 as a business that a)

Quick Links

- [Complaints](#)
- [Recalls](#)
- [Local Health Departments](#)
- [Food Allergy Awareness](#)

Resources

- [Guidelines for Cottage Food Businesses](#) (Revised 10/2022) ****NEW**
- [Cottage Food Business Labeling Guide](#) (Revised 10/2022) ****NEW**
- [Cottage Food Business Fillable Label](#) (4/2022)
- [Cottage Food Business Checklist](#) (7/2021)
- [Cottage Food Business Request form](#)
- [American National Standards Institute \(ANSI\)](#)
- [For Beekeepers - Maryland Department of Agriculture Apiary Inspection Program](#)

Frequently Asked

Questions (FAQ)



Growing Your Business

Growing Your Business - Next Steps

- Sales approaching \$50,000
- Selling non-cottage foods
- Wholesale product beyond retail food stores
- Sales outside the State



Growing Your Business

Commercial kitchen

- Shared kitchen space - incubator kitchen, food hub
- Licensed restaurant or retail kitchen
- Commercial kitchen space - individual
- Copacker - processed, packaged, labeled by licensed food manufacturer

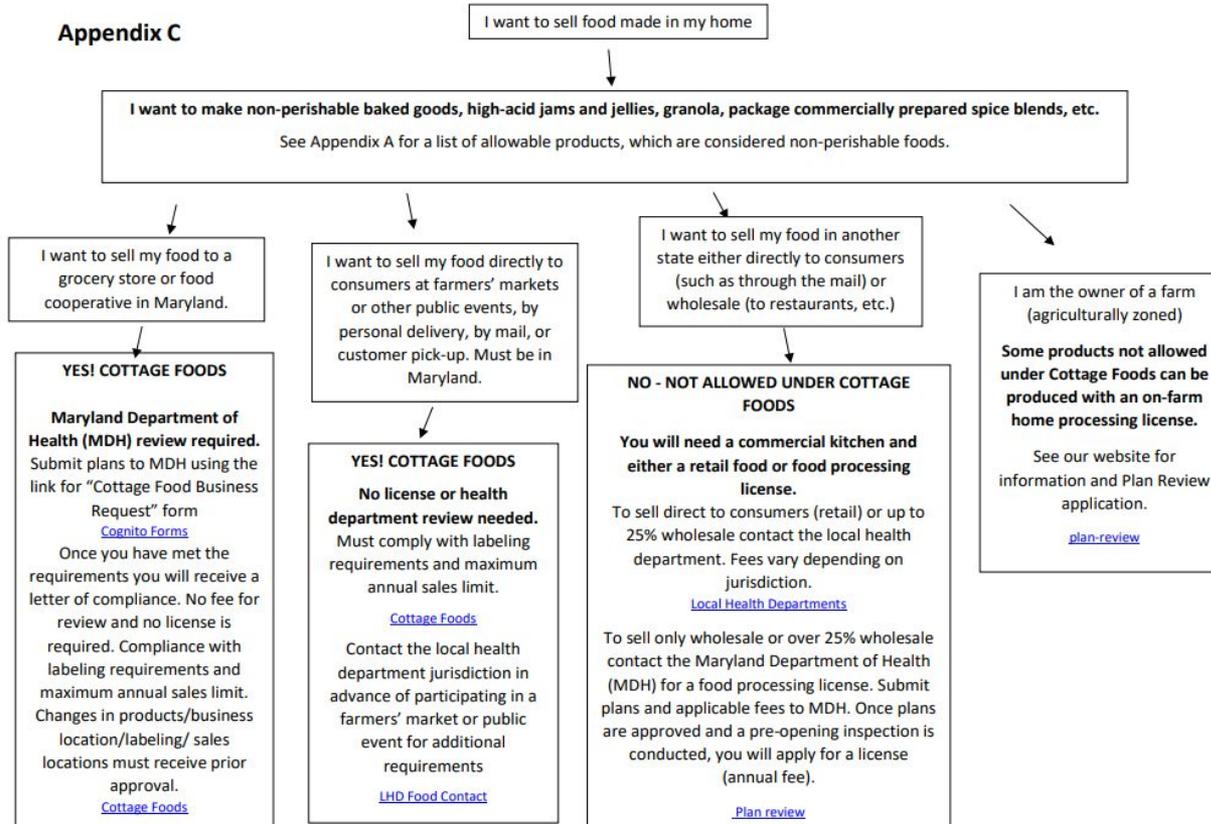
Licensing

- Retail - Local Health Department
- Processing - Maryland Department of Health

Cottage Foods Decision Tool

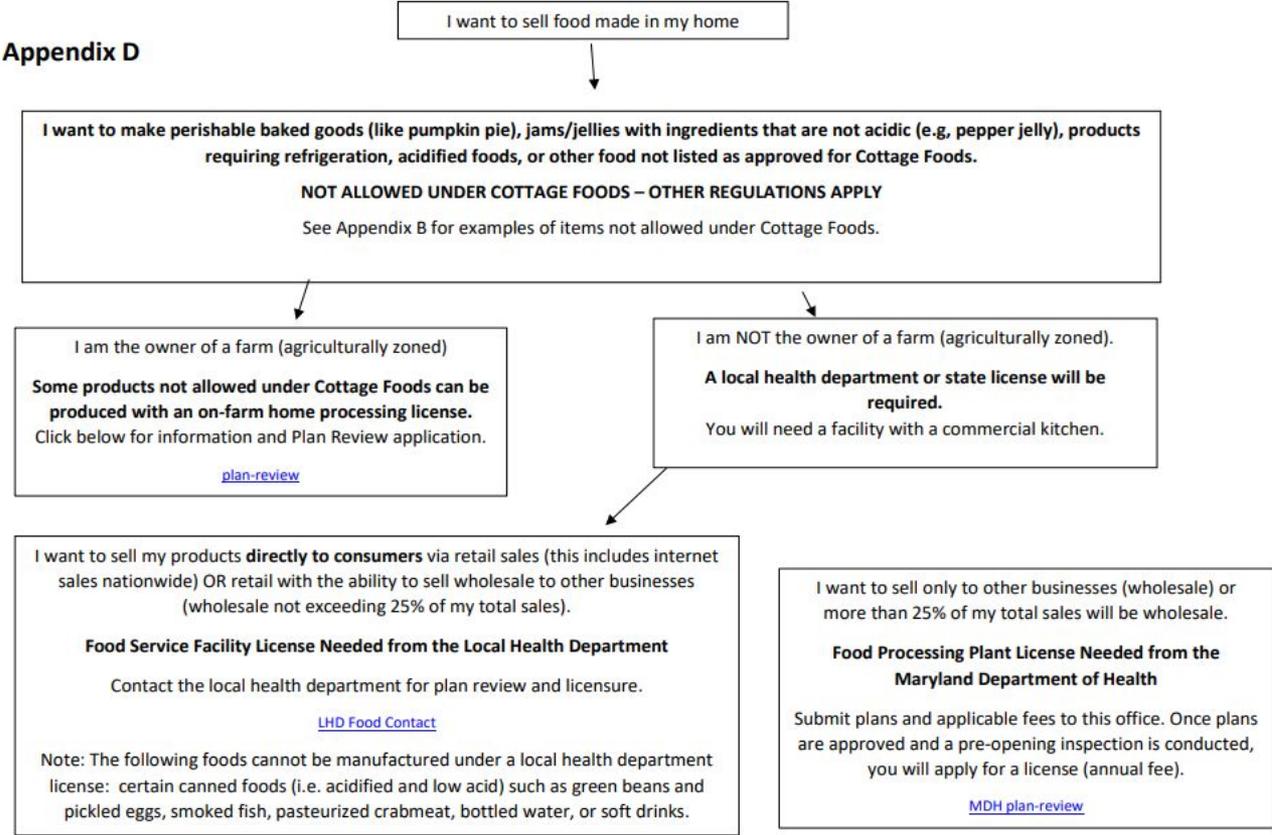
Cottage food businesses are not licensed, but must comply with all applicable county and municipal laws and ordinances regulating the preparation, processing, storage, and sale of cottage food products. Contact your local permits, licensing and zoning department to inquire about specific requirements.

Appendix C



Cottage Foods Decision Tool

Cottage food businesses are not licensed, but must comply with all applicable county and municipal laws and ordinances regulating the preparation, processing, storage, and sale of cottage food products. Contact your local permits, licensing and zoning department to inquire about specific requirements.



Cottage Food Complaints

- May be filed through the MDH or local health department websites or via phone.
- Forwarded to the local health department for investigation
 - Cottage food businesses are required to comply with any investigation and allow right of access
- Freedom of Information Act allows the public to request information on a cottage food business including the home address

Reporting

- List of cottage food complaints is provided to Legislature annually (December)
- Quarterly lists are provided to the local Health Departments:
 - Cottage food businesses that have obtained a Unique ID Number
 - Cottage food businesses in compliance to sell at Retail

Resources

MDH Cottage Food Business webpage

<https://phpa.health.maryland.gov/OEHFP/OFPCHS/Pages/CottageFoods.aspx>

- Guidelines for Cottage Food Businesses
- Cottage Food Business Labeling Guide
- Cottage Food Business Fillable Label form
- Cottage Foods Sold at Retail intake form
- Frequently Asked Questions (FAQs)

FDA Labeling Guide

<https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm2006828.htm>

Resources - continued

MDH Center for Facility and Process Review webpage

<https://phpa.health.maryland.gov/OEHFP/OFPCHS/Pages/plan-review.aspx>

- Plan Review application
- Guidelines and resources for Retail Prototypical Food Facility (Two or more food facilities built from the same set of plans within the State of MD)
- Guidelines and resources for Processing (Processing Plant, Warehousing, On-Farm, Dairy, Value Added Foods)

Post - Test

Post - Test

1. The website, Cottage Cookies, has the option to ship their cottage food products to Delaware. Is this allowed? **No**
2. I want to roast and sell coffee, can I also offer ground coffee to my customers? **No**
3. I can make pickles, beverages, and elderberry syrup as a cottage food business in MD. **False**

Post - Test

4. The following are allowable cottage foods:

- Rosemary focaccia with commercially dried herbs baked in;
- Cupcakes with shelf-stable commercially manufactured frosting;
- Hot chocolate cocoa bombs; and
- Chocolate chip cookie stuffed with commercially manufactured peanut butter

True

Post - Test

5. The following are allowable cottage foods:

- Lemon cake with a vegan icing made with vegan butter, sugar, lemon juice;
- Cold pressed (unpasteurized) fruit juice;
- Hot Sauce; and
- CBD infused chocolate candies

False

Post - Test

6. Dehydrating herbs and using them to make a spice blend is allowed under the cottage food regulations. **False**

7. Does a Cottage Food Business need to include their home address on their label? **Yes or an ID # issued by MDH**

8. Mary wants to sell her cottage food products at her friend's hair salon and boutique. Is she allowed to do that? **No**

9. Once I am approved for "At Retail" sales, I can sell my products to any store, as long as it is located within the State of Maryland. **False**

Contact

**Office of Food Protection
Center for Facility and Process Review**

Email mdh.foodplanreview@maryland.gov
with “Cottage Foods” in the subject line

Presented in partnership with SMADC (Southern Maryland
Agriculture Development Commission)





Maryland

DEPARTMENT OF HEALTH

Prevention and Health Promotion Administration

<https://phpa.health.Maryland.gov>

